

Harlowton City Council Minutes
November 12, 2019
Harlowton City Hall

A regular meeting of the Harlowton City Council, held November 12, 2019 opened at 7:00 pm with the Pledge of Allegiance. Minutes of the October 22, 2019 council meeting were approved as written.

There was no public comment.

Mayor Otten updated the council on Biegel's Bar ownership transfer. Paul has not heard from Steve Olson regarding the quit claim deed for Biegel's Bar nor a timeline for when Steve Olson would have personal effects out of the building. Ian reported he understood the Brownfields clean up funds were still available for this project.

Ian informed the council that construction costs for extending city water services toward Bryan Tomlinson's property (Van Cleve Addition Block 12 Lots 1-9 and 16-24) would be around \$42,000.00. There is no quote yet for sewer services.

As previously reported, Bryan Tomlinson has sold the property that the city needs easement through to extend 6th Street NE through to the "Old Gap Highway". Once the property ownership change has been completed the city could work with the new owner to get this completed.

Rob Elwood informed the council that he had a discussion with Absaroka Power regarding the city owned industrial lots and their possible use for housing during the construction of the energy project. Rob reported that the lots would not be large enough to house a "man camp" but they may be useable as portable building office space. The information about the lots has been made available to the company that would set up portable office space.

Paul reported that the Fischer's had not returned from vacation yet to give their recommendation for the FFA sign design for Fischer Park. Darlene Bacon informed the council that she had talked with the Wheatland County Chamber of Commerce and they would be willing to have the "Welcome sign" located on the corner across from the E57B train engine.

There was no library report.

Rob Elwood updated the council on the ordinance committee's progress. The process to repeal most of Title 5 regarding business licensing is being worked on. Beer and Liquor sales licensing discussions are still being held. There was a typographical error on ordinance 5-2019 that went into effect October 24, 2019. As the body of the ordinance clearly states the correct code references, the ordinance will stand as written.

There was no Rail Trail report. Discussions regarding an asbestos depository will be held later as an agenda item.

There was no Tree Board report.

Charley Bennett reported that the pool was closed for the year and further conversation would be held as on the agenda.

Rachael Moore, as representative for “Friends of the Pool”, asked if their committee could have their own bank account and post office box that they controlled. Paul informed them they could not unless they were to set up as a separate entity, and in that case the city could not dictate how they operate. However if they chose to operate as a committee for the city, accounting for the money would be done through the city clerk/treasurer. Further discussion was held regarding transparency of the pool money being spent. City clerk/treasurer, Kathie Newland, informed the group that the pool funds are part of the general fund; however, the pool does have a designated savings account where all of their fund raising and donated money is deposited. She informed them that Jesica McKeever had received all of that information within the last few weeks. Charley Bennett requested an accounting of the pool funds be provided at each council meeting. Paul reminded the group that when a donor donates money to a specific item, that is all the money can be spent on unless the donor reallocates the use for something else. Susan Beley commented that in grant writing, specific items to purchase are usually required in the grant application. Jayme Colby asked if the county was contributing money to the pool as there are county users as well as city users. Kathie replied that the county did contribute at least \$5,000 each year. Linda Hickman recommended a memorandum of understanding between the city and the Friends of the Pool be executed. Frank Brouillette stated that the city council would not give authority to a pool committee. Charley stated that the council would still have spending approval. Jayme Colby asked if the city crew would be doing any of the work (regarding major projects) at the pool rather than hiring outside contractors. Ian explained that even if the city crew had the time and did the work there, their time (and therefore the payroll expense) would be allocated to the pool department. Charley commented that they hope to raise enough money to get the skimmers all fixed and working. Paul asked Charley if the energy efficient boiler he keeps referring to is sized sufficiently to work at the city pool. Charley said all of the research for upgrades to the equipment and such were still in the works. John Anderson commented that there was no need to complicate the fund raising process. The Friends of the Pool asked if addresses of donors could be provided to them in order to write thank you notes. Rob Elwood indicated that addresses of donors who had given directly to the city would not be given out to an outside organization.

Council member Charley Bennett requested to be absent from the city of Harlowton from mid-November 2019 through March 2020. Charley would continue to participate in council meetings via conference call. Ron Teig made the motion to approve Charley Bennett’s absence as requested in his letter to the council. John Anderson seconded the motion. There was no further discussion. Motion passed (Ayes: Ron Teig, Rob Elwood, Frank Brouillette, John Anderson, Jim Kalitowski Abstain: Charley Bennett).

Ian presented information from Pioneer Technical Services regarding using the city owned “Old Dump” property as an asbestos depository for the contaminated soil located at the railroad roundhouse property. Ian explained that before DEQ would go about trying to obtain the various permits in order to proceed with the plan, they wanted council approval that they would allow the use of the old dump property for this purpose. Additional discussion regarding outside use of the asbestos depository, depth and size of the depository and other uses of the property ensued. Charley Bennett made the motion to allow DEQ to use the “old dump” property as an asbestos depository if proper permitting was obtained. Rob Elwood seconded the motion. There was no public comment. Motion passed unanimously.

Paul informed the council that a community member was interested in having the solar panels that are located on the top of the library building. Paul commented that with a new roof being put on the library (likely not until spring 2020) he didn’t think it would be a good idea to put the panels back up on the newly laid roof. Ian explained that the solar charge controller hadn’t been working for some time and a past council had decided to not fix or update it, so the solar panels have not been functioning for some time. Ron Teig commented that if the city is to get rid of the solar equipment it should go out to bid. Rob Elwood made the motion to put the solar panels and controller up for public bid with a minimum bid of

\$35.00 and the winning bidder being responsible for the removal of the equipment. Ron Teig seconded the motion. There was no further discussion. Motion passed unanimously.

Karen Hammel presented information on the swap of a small portion of land that the city owns, located between 9 A Ave SW and 10 A Ave NW (Swickards) for a bobcat bucket sweeper owned by Ron Swickard. She obtained estimated values for both the property (\$698.50) and the equipment (\$2,000.00). Karen Hammel had prepared the necessary documents to transfer ownership of the property and equipment. As approved at the October 22, 2019 council meeting, Paul Otten will sign the necessary documents for ownership transfer of the property and equipment and forward them to the Swickards for signature and recording at the Wheatland County Courthouse.

Paul Otten presented the results from the ward 2 election. Jack Runner had 54 votes while Jay Goucher had 47 votes. Jack Runner will replace John Anderson as ward 2 council member effective January 1, 2020.

Kathie Newland presented RESOLUTION NO. 2019-13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARLOWTON, MONTANA, PROVIDING FOR THE AMENDMENT OF THE BUDGET FOR THE FISCAL YEAR 2018-2019. Rob Elwood made the motion to approve resolution 2019-13 as presented. Charley Bennett seconded the motion. There was no further discussion. Motion passed unanimously.

Paul Otten presented the first quarter of fiscal year 2020 financial statements. There were no questions. Ron Teig made the motion to approve the first quarter fiscal year 2020 financial statements. John Anderson seconded the motion. There was no further discussion. Motion passed unanimously.

Ian presented information on ordering “No U Turn No J Turn” signs to be placed on Central Avenue. Council consensus was to approve ordering the custom made signs.

Ian reported that the phase 4 water project construction would start on Wednesday November 13, 2019 and that one block of the street by the post office (1st St SE) would be closed to through traffic for a few days. Notice of the street closure was given to surrounding businesses and posted for the public.

Everett Misner reported that there have been no issues with the newly implemented one-way street in front of the courthouse/sheriff's office.

Ian reported that the Christmas decorations ordered by the Federated Church should arrive by the end of the week. The banners ordered by the Wheatland Chamber of Commerce had already arrived.

Jim Kalitowski asked Ian if the fire hydrant by Keatings (E Ave NE) was getting repaired. Ian reported that parts had been ordered.

Paul reported that the vandalized fence boards at Fischer Park had been fixed. One of the people responsible for the vandalism had assisted city staff with replacing the boards.

Frank Brouillette requested additional research be done on the water issues that continue to plague residents' basements along SE Logan Street. Particular residents mentioned were Charley Bennett (508 SE Logan) and Dennis Tandberg (204 F Ave SE). Charley Bennett persists in wanting a culvert installed that would divert water more quickly back toward the river. Ian explained that he had discussed the issue with State Fish Wildlife and Parks and DNRC representatives. They would possibly give a permit to do such a project; however, they did not feel that would help the situation. Rob wanted clarification about when the sewer lines were replaced in that area. Ian explained that the engineers had told the city council at that time, that since most of the ground water in that area had been getting carried to the lagoon by faulty sewer lines (ground water infiltrating the old sewer lines), once the sewer lines were replaced there

was a possibility that the ground water would have nowhere else to go. Charley Bennett asked if figuring out the fall of the land (GPS at specific areas and down by the river to determine if it is downhill) would answer any questions. Ian indicated getting an engineer's opinion on such things would cost money and he could find out if the council was willing to spend the money on it. Rob Elwood wondered if a geologist's opinion would assist in figuring out a solution. Ian said any information that could be gathered would be helpful.

Charley Bennett asked if there had been any information on the shingles from the old bowling alley blowing off and damaging cars parked on the street. Paul informed him that he had discovered the building was owned by the state (Medicaid) and didn't know who to get a hold of that could assist in the cleaning up of the building.

Paul Otten asked if there were any pressing issues for the next council meeting which was scheduled for the week of Thanksgiving. Charley Bennett made the motion to cancel the regularly schedule November 26, 2019 council meeting. John Anderson seconded the motion. There was no additional public comment. Motion passed unanimously. The next council meeting will be December 10, 2019 at 7:00pm at the Harlowton City Hall.

Jim Kalitowski asked if there were any identified city sewer problems going on west of his home. Ian was not aware of anything.

Ron Teig made a motion to pay the claims, checks #22184-22221, from October 19, 2019 through November 8, 2019. Frank Brouillette seconded the motion. No further discussion was had. Motion passed unanimously.

Meeting adjourned at 8:26 pm.

Council Members Present: John Anderson, Charley Bennett, Frank Brouillette, Rob Elwood, Jim Kalitowski, Ron Teig

Employees Present: Ian Reed, Jesica McKeever

Paul Otten, Mayor

Kathie Newland, Clerk